<u>REMARKS</u>

I. INTRODUCTION

In response to the Office Action dated July 7, 2006, claim 1 has been amended. Claims 1, 3-7, 9-12 and 15-45 remain in the application. Entry of these amendments, and reconsideration of the application, as amended, is requested.

II. CLAIM AMENDMENTS

Applicant's attorney has made amendments to the claims as indicated above. These amendments were made solely for the purpose of clarifying the language of the claims, and were not required for patentability or to distinguish the claims over the prior art.

III. NON-ART REJECTIONS

In paragraphs (2)-(4) of the Office Action, claims 1, 3-7, 9-12 and 15 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. According to the Office Action, the phrase "one or more selection criteria" in claim 1, at line 4, is inconsistent with the phrase "the selection criteria are grouped in order to combine them" in claim 1, line 7, since only one criteria is needed, but Applicant attempts to group one criteria. Also, the Office suggested Applicant give the full meaning for "SQL" in claim 1.

Applicant's attorney has amended claim 1 to recite that "SQL" is an acronym for "Structured Query Language."

However, Applicant's attorney traverses the rejection related to the phrases "one or more selection criteria" and "the selection criteria are grouped in order to combine them." Applicants' attorney submits that there is nothing inconsistent in the use of these terms. Moreover, Applicants' attorney submits that the rejection takes these phrases out of context, and that in their proper context, i.e., "the selection criteria are grouped in order to combine them <u>in the dynamically generated SQL statements</u>" (emphasis added), there is nothing inconsistent or indefinite about the phrases.

Consider, for example, the description at page 12, line 10 et seq. related to these terms:

PARALLEL PROCESSING OF A SELECTOR FUNCTION
FIG. 3 illustrates a Selector function 300 included in the Value Analyzer system according to the preferred embodiment of the present invention. Within

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the Value Analyzer Calculation Engine 104, the Selector function 300 selects accounts and events from the relational database managed by the RDBMS 106 in order to generate a number of inputs for the Profitability Calculations 200, including Account Attributes 202 and Event Attributes 204. Because of the limited amount of data associated with the Organization Attributes 206 and Profit Factors 208, these inputs to the Profitability Calculations 200 do not require the capabilities of the Selector function 300, although the Selector function 300 could be used with these inputs as well.

Selection Criteria

In the Value Analyzer system, the Selector function 300 uses one or more sets of Selection Criteria 302 to determine which accounts and events should be processed. In the preferred embodiment, the following types of Selection Criteria 302 may be used:

- Product Groups;
- Balance Types;
- Account Event Groups;
- Master Account Event Groups;
- Account Attributes; and
- Master Account Attributes.

Other types of Selection Criteria 302 may be used as well.

The Selection Criteria 302 may comprise attributes, predicates, operators and/or functions, wherein a group of accounts or events that satisfy the Selection Criteria 302 comprise partitions. For example, it is possible to compare an account attribute (i.e., a column) to another account attribute, a literal value, or a domain value (which is an indirect reference to a literal value that is resolved by a lookup function). Operators may include any number of different relational operators, i.e., $=$, $>=$, $<=$, $<$, $>$, BETWEEN, etc., and functions may comprise aggregate or other functions.

The Selection Criteria 302 may also include dynamic event attributes. For example, multiple event attributes may be defined for each account. The event attribute definition can vary both in the number of event attributes used to identify account events, and in the identity of the event attributes. This means that the selection of accounts having specific combinations of event attributes is dynamic, rather than static.

Consider, in another example, the description at page 14, line 28 et seq. related to these terms:

Operation

Using the Selection Criteria 302 for each of the components, the Selector function 300 dynamically generates SQL statements to select the proper accounts and events from an account table and event log table in the relational database. The account table contains all of the accounts at a financial institution, and the

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event log table contains all of the account events or transactions that occurred during a specified period at the financial institution

The Selector function 300 can perform parallel processing of the Selection Criteria 302, which allows the Selector function 300 to optimize the selection of accounts and events. **Using this process, similar Selection Criteria 302 are grouped together and processed independently and in parallel by the RDBMS 106, and the results therefrom are stored in temporary work tables.**

The Selector function 300 uses one or more parameterized templates to dynamically generate the SQL statements. This parameterized template typically comprises a join of (potentially) multiple tables within the relational database to a constraint table (storing the Selection Criteria 302) and an in-list table (storing IN clauses for the SQL templates). Both the constraint and in-list tables are created and populated from the Selection Criteria 302.

Specifically, there are several very important steps in generating the SQL statements:

1.   **Substantially similar Selection Criteria 302 are grouped in order to combine them into one account-partitioning set of SQL statements.** In this context, "similar" does not necessarily mean identical, e.g., certain Selection Criteria 302 are considered identical for the grouping function and are later altered to match the original SQL statements.

2.   Once the Selection Criteria 302 are grouped, it is necessary to convert and/or combine some of the Selection Criteria 302 in order to ensure that every Selection Criteria 302 can be expressed in the fewest number of templates.

3.   One or more constraint tables are created and populated for each group of Selection Criteria 302.

4.   One or more in-list tables are created and populated for all groups of Selection Criteria 302.

In this context, it is clear that the selection criteria are being grouped in order to combine them in the dynamically generated SQL statements. It is not inconsistent if there is only one selection criteria combined in the dynamically generated SQL statements. Moreover, only one selection criteria does not render the phrase indefinite.

In view of the above, Applicant's attorney submits that the claims are definite in accordance with 35 U.S.C. §112, second paragraph. Consequently, Applicant's attorney requests that these rejections be withdrawn.

IV.   PRIOR ART REJECTIONS

In paragraphs (5)-(6) of the Office Action, claims 1, 3-7, 9-12 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Graff, U.S. Patent No. 5,802,501.

Applicant's attorney respectfully traverses these rejections.

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Graff merely describes a data processing system applied to the financial fields of securities, real estate, and taxation. More particularly, Graff describes a computer system for supporting a financial innovation involving the securitization of property by its decomposition into at least two components. One component can be an estate for years component and a second component can be a remainder interest. The computer system computes the respective values and investment characteristics of the components, and produces documentation thereof, to facilitate financial transactions involving the separate components.

However, Graff lacks any discussion about a selector function that uses one or more selection criteria to determine which accounts and events should be selected from the database, wherein the selector function dynamically generates SQL statements to select the accounts and events from the database using the selection criteria, the selection criteria are grouped in order to combine them in the dynamically generated SQL statements, the grouped selection criteria are processed independently and in parallel to create temporary work tables, and the temporary work tables are combined to yield output tables comprising attributes of the accounts and events selected from the database. In addition, Graff lacks any discussion about performing profitability calculations using the attributes of the accounts and events selected from the database.

Indeed, the Office Action acknowledged that Graff did not specifically disclose a selector function. Nonetheless, the Office Action asserted that a selector function would have been common knowledge in the art, and that to have provided such for Graff would have been obvious to one of ordinary skill in the art. Specifically, the Office Action states the following:

> Graff discloses, e.g. Figs. 4, 4a, performing financial processing in a computer. Graff does not specifically disclose a selector function or the term attributes. As understood, selector functions and attributes used in financial processing using a computer have been common knowledge in the art. To have provided such for Graff would have been obvious to one of ordinary skill in the art. Further, as understood, the depending claims are recite subject matter, e.g. apportionment amounts, that have been common knowledge in the financial processing art. To have incorporated each with Graff would have been obvious to one of ordinary skill in the art.

This figure from Graff is provided below:
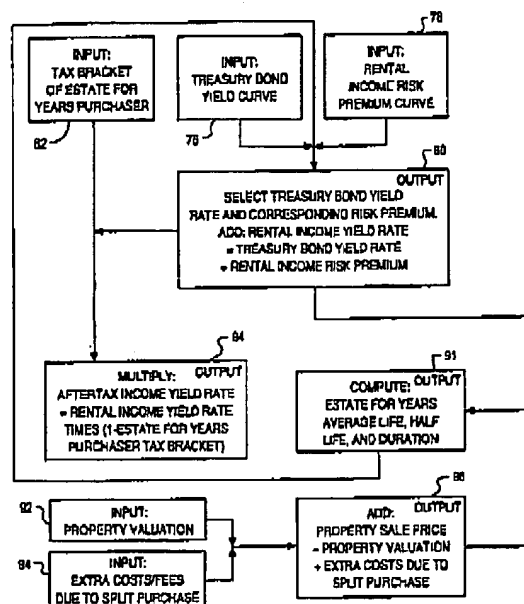
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Fig. 4A

In FIG. 4a of Graff, box 80 (the only "select" function found) merely recites:

Select treasury bond yield rate and corresponding risk premium.
Add: rental income yield rate
= treasury bond yield rate
+ rental income risk premium

Applicant's independent claim 1 sufficiently distinguishes its recited selector function from the function described by Graff above or from any part of the "common knowledge in the art." Specifically, neither Graff nor the "common knowledge in the art" teach or suggest a selector function that includes dynamic generation of SQL statements, the grouping of selection criteria, the independent and parallel processing of the grouped selection criteria, or the

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combining of the temporary work tables to yield output tables comprising attributes of the accounts and events selected from the database.

Applicant's claimed invention provides operational advantages over the system disclosed in Graff in view of "common knowledge." Graff reflects a very specific kind of financial calculation involving the securitization of property. Applicant's invention, on the other hand, describes a different, more sophisticated model for implementing profitability calculations in a computer system using a relational database, dynamically generated SQL, grouped selection criteria, and parallel processing. Graff fails to teach or suggest any of these elements, or the relationships between the various elements.

Thus, Applicant's attorney submits that independent claim 1 is allowable over Graff. Further, dependent claims 3-7, 9-12 and 15 are submitted to be allowable over Graff in the same manner, because they are dependent on independent claim 1, respectively, and thus contain all the limitations of the independent claim. In addition, dependent claims 1, 3-7, 9-12 and 15 recite additional novel elements not shown by Graff.

IV. CONCLUSION

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

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